



MINUTES

CHARLOTTE COUNTY MARINE ADVISORY COMMITTEE

Thursday, October 8, 2020

9:30 a.m.

Charlotte County Beach Complex

4500 Harbor Blvd.

Port Charlotte, FL 33948

1. Call to Order and Pledge of Allegiance

Chair Ireland called the meeting to order at 9:31 a.m.

2. Roll Call

Upon the roll being called it was determined a quorum was present.

3. Chairman's Comments

A. REMINDER TO ALL VISITORS ADDRESSING THE COMMITTEE: PLEASE SIGN IN. It is helpful when preparing the Minutes. A clipboard and a pen are provided on the podium for your convenience.

B. REMINDER TO ALL MEMBERS STATE THEIR NAME AND ORGANIZATION and TO USE THE MICROPHONE WHEN ADDRESSING THE COMMITTEE. It is helpful when preparing the Minutes

C. REMINDER TO ALL MEMBERS, STAFF AND VISITORS TO PLEASE SILENCE THEIR CELL PHONES.

4. Changes to the Agenda

Add Ron Jones to discuss buoy weather stations.

5. Citizen Comments on Agenda Items

None offered.

6. Regular Business

A. Approval of the Minutes of the Pre-Agenda Meeting from September 3, 2020
Additions, Corrections or Deletions, none offered; Approved as submitted, by acclamation.

B. Approval of the Minutes of the Regular Meeting from September 10, 2020.
Additions, Corrections or Deletions, none offered; Approved as submitted, by acclamation.

C. FY21 MAC Grant Application Review – Jim Darden

Chair Ireland said Mr. Darden would not be attending today. **Chair Ireland** said he had asked Mr. Darden about the Englewood Water Fest being canceled due to Covid, what happened to the money we gave them as a grant. Did they get it? **Mr. Darden** told Mr. Ireland it is a draw. As they need the money when making the expenditures, they come back to us for the reimbursement. He said this is the case with most all the grants.

Henry Killion said Mr. Darden and he were at a meeting with an individual from Sarasota County and the grants they give out, they use volunteer hours initially so they can get that front money instead of trying to raise all the money. Maybe going forward we could have some kind of policy in writing how we can handle that.

Chair Ireland said we should wait for Mr. Darden to be present and we will bring that up next month.

Chair Ireland said Matt Logan also could not attend today but Matt wanted us to pass along that the buoys at Stump Pass were relocated on the 23rd of September. Roger DeBruler is also out but Tina Powell is here.

John Welsh said Bob was at the City counsel meeting for Punta Gorda yesterday where they voted on the derelict vessels and Officer Trufan from the City of Punta Gorda would like to speak on that.

Officer Bob Trufan said the City Counsel voted it in. He said they have a boat sitting right in front of the boat club and said it will go out for bid now to get a contract to remove it. All the money that was given to them has been officially/formally accepted.

Paul Bigness said regarding Chadwick Cove, (he had a picture of 3 boats abandoned, one was starting to sink) he said one boat he spoke about at pre-agenda, they extracted that boat. There is another new recent one and it sank. This has been floating around from one side of the cove to the other. It has been out here for years. People are using Chadwick Cove as a storage place.

Chair Ireland said this type of situation has been on going. There is law enforcement involved and their hands are tied.

Commissioner Deutsch said we are limited on what we can do by existing State regulations primarily. I think we might have some additional leverage once the boat is in an environmentally sensitive area and/or in the channel. We have to document and determine the ownership of the vessel. He asked Tina from Natural Resources if she knew about hazards with the environmentally sensitive areas.

Tina Powell said there is a very small crack - it has to do with fuel or human feces being exposed to the water. The challenge we have is they have to meet a specific criteria in the State statute to be considered derelict then they have to go through the whole process.

Commissioner Deutsch asked if the boat is in the seagrass area and it is not discharging human waste and/or fuel, can we still do anything?

Ms. Powell said sometimes. Unfortunately, but those determinations are made by the law enforcement officers if it qualifies as an environmental hazard. One of the things is there is nothing in the State statute that defines "storage" on the water. Many times, this is what leads to the abandoned vessels. There is a proposal to define that in the State statute which would then potentially give Counties and local

government the ability to craft restrictions or ordinances around that. WCIND has participated funds into getting this more defined.

Roger Strube said he had a question about live aboard.

Mr. Bigness said no, they are not live aboard. He said there were many boats there and some of these now are just left there. Some don't have lights, one says No Trespassing. These people do not want to pay for storage of the boat. One boat has been there since January.

John Walsh said about 5 or 6 years ago, there was a proposal by the State, to leverage anchorages to 60 or 90 days. I would encourage the County Commissioners to pressure the State to put in a reasonable length of time. If the owner has left the State, then they should have some action to be able to take on those vessels.

Commissioner Deutsch said he looked into that 3 or 4 years ago, and his concern was an individual responsibility, who is living aboard, they are not paying any taxes, they might have kids going to school and the rest of the tax payers are paying for all this. He said there is nothing to enforce now with live aboard.

Ms. Powell said the real challenge is most governments are pre-empted from any of the on water rules.

Robert Hickey asked isn't there another avenue we can take as hazardous navigation if they are not displaying an anchor light?

Chair Ireland said we tried that.

Ms. Powell said that is one of the cases where we can remove them almost immediately, that they are in the channel. Part of the problem with this one, is it is not in a designated channel.

Chair Ireland said we have been dealing with this for many years. It gets a little better, and then it deteriorates as Paul points out. I am not sure there is a concrete one fix answer but I would really like to have Roger here to discuss this with him because he has the most knowledge of the hoops he has to jump through. I think we will bring this back up again when Roger is here.

Capt. Ron Blago said why don't you just take the two worst defenders out there, bring them in, let them sue the County, but let the court decide.

Chair Ireland said we need Roger in here to give his opinion on the legality.

Commissioner Deutsch said legally we cannot go in there and move their boat. That is the problem. Unless it is a danger, hazard to the situation. Sometimes we can't find the owner and they still won't let us touch the boat.

Deputy Trufan, City of Punta Gorda Police Department said if they don't meet State statute, they can be pulled right away, but there is a lack of funding. He said it is hard to get reimbursements from the State. The City of St. Petersburg, they just go in and take them. They crush the boats.

Chair Ireland asked if he had an idea what it costs to pull a boat out of Chadwick Cove?

Deputy Trufan said it is very expensive.

Ms. Powell said the last person they had win the bid charged \$120 per foot. Then there is a tow fee.

Chair Ireland said Mr. Darden just walked in, maybe he might have some idea.

Mr. Bigness said maybe we should pull the boat, put it in storage, notify the owner, give 30 or 40 days and if we do not hear back from them, then crush the boat.

Ed Nowak said everything takes time to get done. I have a little story, in NY state, I put my cabin cruiser in Lake George (camping on one of the islands) and one morning a young officer came along, went through my cabin cruiser, dumped a little blue solution into my sink, ran the water and when that came out the side pipe, I saw the judge that morning. Not afternoon, that morning. I had it fixed by the afternoon, but up there, they move quick.

Jim Darden said he did not do the quarterly report because it is the end of the year. At the end of the year the numbers are check requests coming in and they will have a recount next month.

Mr. Strube asked if we were able to advocate dollars to remove these boats, how would you account for this?

Mr. Darden said I have derelict vessel funds. We have \$60,000 allocated for derelict vessels for this fiscal year. Punta Gorda has \$40 or \$45,000 allocated for derelict vessels in the Punta Gorda area. WCIND has all the money we want to derelict vessels but they follow the State funding guidelines because they want reimbursements by them. The funding is there, it is just working out the legal details which is a little complicated.

Ms. Powell said the funding we received from Matt for deselect vessels prior to 2017, was the County's prior resource for removal. We removed over 200 vessels with that funding and we were able to recoup from the owner of the vessel once. She said the contract that was just awarded last week is for \$97 per foot. We pay the landfill charges separate.

Henry Killion asked about using volunteer hours for credit. He said Sarasota has been using volunteer hours in order to get WCIND money and we were wondering if we could set up a program.

Mr. Darden said WCIND has been working on rule 66a, it does include volunteer hours to count as a match funding or WCIND grant. Yes, we can do the volunteer hours. In the past, in Charlotte County, we have been using the local money as the match for the WCIND grant

Ms. Powell went through the projects. She said most of them have not changed since last month.

Ainger Creek – park redevelopment is still in progress. This is being managed by Facilities.

Allapatchee - Irma repairs are being managed by Facilities, construction maintenance. This should be coming to a close in the next 2 or 3 weeks.

Butterford Waterway – parking lot resurfacing is starting this week.

Cedar Point Environmental Park – the Murdock center is getting some interior renovations.

Hathaway Commute kayak launch repairs, the SWFWMD permits have been approved and we will be starting in 2 weeks

Live Oak Point – there is new sidewalk handrail that is going to be going in. That is currently being reviewed by DOT since that is DOT property.

Placida Boat ramp – the new boat ramp expansion, also being managed by Facilities, construction and maintenance. They are in their public input phase, it is on their website.

Franz Ross Park – Port Charlotte beach sailing center project also being managed by Facilities, construction and maintenance. The dredge project is completed or in progress. We have received some sand here at the park that was our only part of that project.

Riverside Park – the boat ramp design has started.

The Williams R. Gaines Veterans Memorial Park project has been completed.

7. New Business

Chair Ireland said we have already met Mr. Nowak. He is taking Mr. Ellsworth's place from the Burnt Store Isles Boat Club. Welcome Mr. Nowak.

Chair Ireland also said there are applications for those members whose membership term will be expiring by the end of this year. Please take one of these applications home and fill them out. You have to return it with a resume and they will get you on the December 2020 BCC agenda.

Chair Ireland said Ron Jones will give us an update on the weather buoy issue.

Ron Jones, Project Manager for the weather stations, working under Punta Gorda Boaters Alliance, said for marker 4, weather sensors were replaced on September 28th. We had a working party go out in a boat appropriate for the task, making it easier to replace the equipment. It has been working properly and is transmitting data to the Punta Gorda boater's alliance webpage, where it is available to anyone. The data is also being passed directly to NOAA for inclusion in their short term modeling, which will be critical when we have a hurricane threat in our area. The old sensor array when I checked yesterday, which is on its way to Maine, indicated the problem was a short somewhere between solar panel tower and the radio equipment. Marker 2, there was some discussion about the County contacting the Coast Guard. I have still not heard anything from the civil engineering unit in Miami.

Mr. Hickey said Ron has all the documentation and Steven indicated maybe he could help push something. We need someone from up high to get these people to get this paper work done and let's get Marker 2 finished up.

Commissioner Deutsch said to send him that information and he would get with Miami.

Mike McIntosh asked if it was reading in knots or mph?
The answer was miles per hour.

8. Old Business

Mr. Welsh said the Punta Gorda Isles Civic Association will be having a flea market for nautical stuff. You can buy a table if you want to sell items or you can just shop. This will be November 14th from 8 a.m. to 1 p.m. at the Punta Gorda Isles Civic Association parking lot at 2100 Shreve St.

9. Other Business

Susan Bareither said the Punta Gorda police department has a brochure, "follow the rules of the water". She said it is good, they are free and you can pick one up at the police department.

10. Citizen Comments

None offered.

11. Good of the Order

None offered.

12. Next Meetings

- The next **Pre-Agenda Meeting** will be held Thursday, November 5, 2020 at 9:30 a.m. in the **BCS Large Conference Room**.
- The next **Regular Meeting** will be held Thursday, November 12, 2020 at 9:30 a.m. in **Port Charlotte Beach Complex**.

13. Adjournment

Mr. Strube made a motion to adjourn, second by **Mr. Killion**, the motion passed unanimously.

The meeting was adjourned at 10:23 a.m.

Minutes Approved



Tom Ireland, Chair